

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LLOYD C BANSEN FAMILY LLC  
13025 KINGS VALLEY  
MONMOUTH OR 97361

JACKIE L GROFF  
9696 NE MEADOW RIDGE RD  
PRINEVILLE OR 97754

confirms the right to the use of water perfected under the terms of Permit S-47841. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: COTTONWOOD CREEK AND NORTH FORK JOHN DAY RIVER, TRIBUTARIES OF JOHN DAY RIVER

PURPOSE OR USE: IRRIGATION OF 30.0 ACRES ON TRACT NO. 1 AND SUPPLEMENTAL IRRIGATION ON 2.3 ACRES TRACT NO. 2

MAXIMUM RATE: 0.808 CUBIC FOOT PER SECOND (CFS); BEING 0.75 CFS FROM COTTONWOOD CREEK FOR IRRIGATION OF 30.0 ACRES AND 0.058 CFS FROM COTTONWOOD CREEK WITH ANY DEFICIENCY IN THE SUPPLY TO BE APPROPRIATED FROM NORTH FORK JOHN DAY RIVER FOR SUPPLEMENTAL IRRIGATION OF 2.3 ACRES

DATE OF PRIORITY: JUNE 7, 1983

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E	WM	12	NW NE	POD NO. 8 COTTONWOOD CREEK - 4515 FEET NORTH AND 2770 FEET EAST FROM SW CORNER, SECTION 12
9 S	27 E	WM	12	NE NW	POD NO. 10 - 5020 FEET NORTH AND 2440 FEET EAST FROM SW CORNER, SECTION 12

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre-feet for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

A description of the place of use is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract	POD
9 S	27 E	WM	1	SE SW	3.5	NO. 1	8
9 S	27 E	WM	1	NW SE	1.6	NO. 1	8
9 S	27 E	WM	1	SW SE	22.3	NO. 1	8
9 S	27 E	WM	12	NW NE	1.6	NO. 1	8
9 S	27 E	WM	12	NE NW	0.6	NO. 1	8
9 S	27 E	WM	12	NE NW	0.4	NO. 1	10

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract	POD
9 S	27 E	WM	12	NW NE	2.3	NO. 2	8

The quantity of water diverted at the new points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E		1	NW NE	POD NO. 2 (NORTH FORK JOHN DAY RIVER) - 970 FEET SOUTH AND 340 FEET EAST FROM C1/4 CORNER, SECTION 1
9 S	27 E	WM	12	NE NW	POD 1 (COTTONWOOD CREEK) - 3100 FEET SOUTH AND 40 FEET WEST FROM C1/4 CORNER, SECTION 1

The water user shall maintain the totalizing flow meter or other suitable measuring device, as approval by the Director, in good working order, at the new additional point of diversion. The water user shall allow the Watermaster access to the meter or measuring devices; provided however, where the meter or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The water user shall not construct, operate, or maintain any dam or artificial obstruction to fish passage without obtaining approval from Oregon Department of Fish and Wildlife (ODFW).

The water user shall maintain and operate fish screening consistent with current ODFW standards. Fish screening is to prevent fish from entering the diversion.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered February 6, 2018, at Special Order Volume 107, Page 609, approving Transfer Application T-12148, supercedes Certificate 68623, State record of Water Right Certificates.

**JUN 19 2023**

Issued \_\_\_\_\_



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department